

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

February 20, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>SF 455</u>	<u>S-5017</u>	Filed	RECEIVED FROM THE HOUSE
<u>SF 2131</u>	<u>S-5015</u>	Adopted	JEFF EDLER
<u>SF 2137</u>	<u>S-5018</u>	Lost	RITA HART
<u>SF 2235</u>	<u>S-5016</u>	Filed	TOM SHIPLEY
<u>SF 2235</u>	<u>S-5019</u>	Filed	TOM SHIPLEY
<u>SF 2236</u>	<u>S-5020</u>	Filed	JULIAN GARRETT

Fiscal Notes

[SF 2038](#) — [Inheritance Tax Elimination](#) (LSB5011XS)

[SF 2179](#) — [Contraband In Prison](#) (LSB5699SV)

[SF 2341](#) — [Civics Education High School Graduation Requirement](#)
(LSB5706SV)

[SF 2356](#) — [Sex Offenders and Sexually Violent Predators](#) (LSB5295SV)

HOUSE AMENDMENT TO
SENATE FILE 455

S-5017

1 Amend Senate File 455, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

STATE AND DISTRICT COSTS PER PUPIL

7 Section 1. Section 257.2, subsection 12, Code 2018, is
8 amended to read as follows:

9 12. *"Supplemental state aid"* means the amount by which state
10 cost per pupil and district cost per pupil will increase from
11 one budget year to the next as the result of the state percent
12 of growth.

13 Sec. 2. Section 257.8, subsection 5, Code 2018, is amended
14 to read as follows:

15 5. *Alternate supplemental state aid — definitions.*

16 a. For budget years beginning July 1, 2000, and subsequent
17 budget years, references to the terms *"supplemental state aid"*,
18 *"regular program state cost per pupil"*, and *"regular program*
19 *district cost per pupil"* shall mean those terms as calculated
20 for those school districts that calculated regular program
21 supplemental state aid for the school budget year beginning
22 July 1, 1999, with the additional thirty-eight dollars
23 specified in section 257.8, subsection 4, Code 2013.

24 b. For the budget year beginning July 1, 2018, and
25 subsequent budget years, references to *"supplemental state*
26 *aid"* and *"regular program state cost per pupil"* shall mean
27 those terms as calculated including the additional amount for
28 the budget year beginning July 1, 2018, under section 257.9,
29 subsection 2, paragraph *"b"*, and references to *"regular program*
30 *district cost per pupil"* shall mean that term as calculated
31 including any adjustments made under section 257.10, subsection
32 2.

33 Sec. 3. Section 257.9, subsection 2, Code 2018, is amended
34 to read as follows:

35 2. *Regular program state cost per pupil for 1992-1993 and*

1 *succeeding years.*

2 a. For the budget year beginning July 1, 1992, and
3 succeeding budget years beginning before July 1, 2018, the
4 regular program state cost per pupil for a budget year is the
5 regular program state cost per pupil for the base year plus the
6 regular program supplemental state aid for the budget year.

7 b. For the budget year beginning July 1, 2018, the regular
8 program state cost per pupil is the regular program state
9 cost per pupil for the base year plus the regular program
10 supplemental state aid for the budget year, plus five dollars.

11 c. For the budget year beginning July 1, 2019, and
12 succeeding budget years, the regular program state cost per
13 pupil for a budget year is the regular program state cost per
14 pupil for the base year plus the regular program supplemental
15 state aid for the budget year.

16 Sec. 4. Section 257.10, subsection 2, paragraph b, Code
17 2018, is amended to read as follows:

18 b. If the regular program district cost per pupil of a
19 school district for the budget year under paragraph "a" exceeds
20 one hundred five percent of the regular program state cost
21 per pupil for the budget year and the state percent of growth
22 for the budget year is greater than two percent, the regular
23 program district cost per pupil for the budget year for that
24 district shall be reduced to one hundred five percent of the
25 regular program state cost per pupil for the budget year.

26 However, under such conditions, if the difference between the
27 regular program district cost per pupil for the budget year and
28 the regular program state cost per pupil for the budget year
29 is greater than an amount equal to two percent multiplied by
30 the regular program state cost per pupil for the base year, the
31 regular program district cost per pupil for the budget year
32 shall be reduced by the amount equal to two percent multiplied
33 by the regular program state cost per pupil for the base year.

34 Sec. 5. Section 257.10, subsection 2, Code 2018, is amended
35 by adding the following new paragraph:

1 NEW PARAGRAPH. *c.* For the budget year beginning July 1,
2 2018, and succeeding budget years, if the regular program
3 district cost per pupil for the budget year calculated under
4 this subsection in any school district is less than the
5 regular program state cost per pupil for the budget year, the
6 department of management shall increase the regular program
7 district cost per pupil of that district to an amount equal to
8 the regular program state cost per pupil for the budget year.

9 Sec. 6. EFFECTIVE UPON ENACTMENT. This division of this
10 Act, being deemed of immediate importance, takes effect upon
11 enactment.

12 DIVISION II

13 SCHOOL DISTRICT TRANSPORTATION COSTS

14 Sec. 7. NEW SECTION. **257.16C Transportation equity program**
15 **— fund.**

16 1. A transportation equity program is established to
17 provide prioritized additional funding for school districts
18 with a transportation cost per pupil that exceeds the statewide
19 adjusted transportation cost per pupil for the same budget
20 year.

21 2. *a.* For the budget year beginning July 1, 2018, and
22 each succeeding budget year, the department of management
23 shall annually determine a statewide adjusted transportation
24 cost per pupil that is not lower than the statewide average
25 transportation cost per pupil. The statewide adjusted
26 transportation cost per pupil shall be annually determined, by
27 taking into account amounts appropriated to the transportation
28 equity fund under subsection 3, for the purpose of providing
29 transportation equity aid for those school districts with the
30 highest transportation cost per pupil differential.

31 *b.* Each school district that satisfies the criteria of
32 subsection 1 shall receive transportation equity aid in an
33 amount equal to the school district's actual enrollment for
34 the school year, excluding the shared-time enrollment for the
35 school year, multiplied by the school district's transportation

1 cost per pupil differential for the budget year.

2 *c.* For purposes of this section:

3 (1) "*Statewide average transportation cost per pupil*" means
4 the total transportation cost for all school districts in the
5 state used to calculate each school district's transportation
6 cost per pupil under paragraph "*d*" divided by the total
7 enrollment for all school districts used to calculate each
8 school district's transportation cost per pupil under paragraph
9 "*d*".

10 (2) "*Transportation cost per pupil differential*" means an
11 amount equal to a school district's transportation cost per
12 pupil minus the statewide adjusted transportation cost per
13 pupil for the same budget year.

14 *d.* A school district's transportation cost per pupil
15 shall be determined by dividing the school district's actual
16 transportation cost for all children transported in all school
17 buses for a school year pursuant to section 285.1, subsection
18 12, less the amount received for transporting nonpublic school
19 pupils under section 285.1, by the district's actual enrollment
20 for the school year, excluding the shared-time enrollment for
21 the school year as defined in section 257.6.

22 3. *a.* A transportation equity fund is created as a separate
23 and distinct fund in the state treasury under the control of
24 the department of management. Moneys in the fund include
25 revenues credited to the fund, appropriations made to the
26 fund, and other moneys deposited in the fund. For each fiscal
27 year beginning on or after July 1, 2018, there is appropriated
28 all moneys in the fund to the department of management for
29 purposes of making transportation equity aid payments under
30 this section.

31 *b.* If the balance of the fund exceeds the amount necessary
32 to make all transportation equity aid payments under
33 subsection 2, moneys remaining in the fund shall be used for
34 transportation base funding payments under subsection 4.

35 *c.* If the balance of the fund exceeds the amount necessary

1 to make all transportation equity aid payments and all
2 transportation base funding payments, moneys remaining in the
3 fund at the end of a fiscal year, notwithstanding section 8.33,
4 shall remain in the fund and shall be available for expenditure
5 for the purposes of this section in subsequent fiscal years.

6 4. For budget years beginning on or after July 1, 2018, if
7 funding is available as provided in subsection 3, paragraph
8 "b", each school district in the state shall receive a
9 transportation base funding payment in an amount equal to
10 the school district's enrollment used under subsection 2,
11 paragraph "d", multiplied by the lesser of the statewide
12 average transportation cost per pupil or the school district's
13 transportation cost per pupil for the budget year. If an
14 amount appropriated for a budget year is insufficient to pay
15 all transportation base funding payments, the department of
16 management shall prorate such payment amounts.

17 5. a. The sum of the transportation equity aid payment
18 and the transportation base funding payment paid to a school
19 district for a budget year shall not exceed the school
20 district's actual transportation cost used to calculate
21 the school district's transportation cost per pupil under
22 subsection 2, paragraph "d", for the budget year.

23 b. Transportation equity aid payments and transportation
24 base funding payments shall be paid at the same time and in the
25 same manner as foundation aid is paid under section 257.16,
26 and may be included in the monthly payment of state aid under
27 section 257.16, subsection 2.

28 6. Transportation equity aid payments and transportation
29 base funding payments received under this section are
30 miscellaneous income and shall be deposited in the general fund
31 of the school district. However, the transportation equity aid
32 amount and the transportation base funding amount shall not be
33 included in district cost. Transportation equity aid under
34 this section shall not affect the receipt or amount of a budget
35 adjustment received under section 257.14 or transportation

1 assistance aid under section 257.31, subsection 17.

2 Sec. 8. TRANSPORTATION EQUITY FUND — APPROPRIATION. There
3 is appropriated from the general fund of the state to the
4 department of management for the fiscal year beginning July
5 1, 2018, and ending June 30, 2019, the following amount, or
6 so much thereof as is necessary, to be used for the purposes
7 designated:

8 For deposit in the transportation equity fund created
9 pursuant to section 257.16C, subsection 3:

10 \$ 11,200,000

11 Sec. 9. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.>

13 2. Title page, by striking lines 1 through 7 and inserting
14 <An Act relating to school district funding by modifying and
15 establishing provisions relating to state school foundation
16 program and school district transportation costs, making
17 appropriations, and including effective date provisions.>

SENATE FILE 2131

S-5015

- 1 Amend Senate File 2131 as follows:
- 2 1. Page 1, line 9, by striking <1> and inserting <2>

By JEFF EDLER

S-5015 FILED FEBRUARY 20, 2018

ADOPTED

SENATE FILE 2137

S-5018

- 1 Amend Senate File 2137 as follows:
- 2 1. Page 1, by striking lines 8 through 21.
- 3 2. By renumbering, redesignating, and correcting internal
- 4 references as necessary.

By RITA HART

S-5018 FILED FEBRUARY 20, 2018

LOST

SENATE FILE 2235

S-5016

1 Amend Senate File 2235 as follows:

2 1. Page 3, line 12, after <duties> by inserting <, including
3 but not limited to an interruption or impairment of service
4 occurring in the ordinary and normal course of agricultural
5 work duties>

By TOM SHIPLEY

S-5016 FILED FEBRUARY 20, 2018

SENATE FILE 2235

S-5019

- 1 Amend Senate File 2235 as follows:
- 2 1. Page 3, by striking lines 2 through 4 and inserting:
- 3 <g. Any land, building, conveyance, or other temporary or
- 4 permanent structure whether publicly or privately owned, that
- 5 contains, houses, supports, or is appurtenant to any critical
- 6 infrastructure as described in paragraphs "a" through "f" of
- 7 this subsection.>
- 8 2. Page 3, line 5, by striking <3.> and inserting <2.>
- 9 3. Page 3, line 8, by striking <property>
- 10 4. Page 3, line 12, after <duties> by inserting <, including
- 11 but not limited to an interruption or impairment of service
- 12 occurring in the ordinary and normal course of agricultural
- 13 work duties>
- 14 5. Title page, line 2, by striking <property>

By TOM SHIPLEY

S-5019 FILED FEBRUARY 20, 2018

SENATE FILE 2236

S-5020

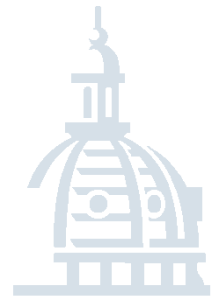
- 1 Amend Senate File 2236 as follows:
- 2 1. Page 2, by striking line 7 and inserting:
- 3 <b. A claimant may amend a lien statement without leave of
- 4 court>
- 5 2. Page 2, line 10, by striking <subparagraph> and inserting
- 6 <paragraph>
- 7 3. Page 2, by striking line 12 and inserting:
- 8 <c. A claimant shall not amend a lien statement to increase
- 9 the>

By JULIAN GARRETT

S-5020 FILED FEBRUARY 20, 2018

Fiscal Note

Fiscal Services Division



SF 2038 – Inheritance Tax Elimination (LSB5011XS)

Analyst: Jeff Robinson (515.281.4614) jeff.robinson@legis.iowa.gov

Fiscal Note Version – New

Description

Senate File 2038 repeals the State inheritance tax and the State qualified use inheritance tax. The repeal is effective July 1, 2018, and applies to deaths occurring on or after that date.

Background

Inheritances received by a spouse or lineal ascendants and descendants (children, grandchildren, parents, grandparents, etc.) are exempt from Iowa inheritance tax under current law. For those inheritances not exempt, the tax rate varies by size of the inheritance and category of inheritor.

- If the net value of the entire estate is less than \$25,000, the tax rate is 0.0%.
- For a brother, sister, son-in-law, or daughter-in-law, the rate is 5.0% to 10.0%.
- For an aunt, uncle, niece, nephew, foster child, cousin, brother-in-law, sister-in-law, and all other individual persons, the rate is 10.0% to 15.0%.
- For firms and for-profit corporations and organizations, the rate is 15.0%.
- For charitable, educational, or religious organizations organized under the laws of any other state or country, the rate is 10.0%.
- For bequests for religious services in excess of \$500, the rate is 10.0%.
- For unknown heirs, the rate is 5.0%.
- For public libraries and art galleries, hospitals, humane societies, municipal corporations, or for the care of cemetery or burial lots, or bequests for religious services not to exceed \$500, the rate is 0.0%.

The State qualified use inheritance tax may apply to certain property of the decedent that was used in farming or other trade or business.

Assumptions

- For FY 2018 and FY 2019, the assumed amount of revenue the State will receive under current law is equal to the December 2017 Revenue Estimating Conference inheritance tax estimate.
- For years beyond FY 2019, inheritance tax revenue is projected to grow 3.6% per year.
- In most instances, the tax payment is due nine months after the death date. Therefore, the revenue impact of the July 1, 2018, repeal is delayed.

Fiscal Impact

The repeal of the State inheritance tax and the State qualified use inheritance tax is projected to reduce net General Fund revenue by \$29.2 million in FY 2019 and \$95.8 million in FY 2020. The revenue reduction is projected to grow by 3.6% per year after FY 2020.

Source

Iowa Department of Revenue

/s/ Holly M. Lyons

February 19, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



SF 2179 – Contraband in Prison (LSB5699SV)
Analyst: Laura Book (515.205.9275) laura.book@legis.iowa.gov
Fiscal Note Version – REVISED (revised fiscal impact)

Description

[Senate File 2179](#) relates to the possession of contraband in or on the grounds of a community-based correctional (CBC) facility, and provides penalties. The Bill adds CBC facilities to the facilities and institutions where a person may commit the criminal offense of possessing contraband.

Background

Under current law, contraband is defined to include controlled substances, intoxicating beverages, weapons, explosives, knives or other cutting devices, and items that may be used to facilitate an escape. A person commits a Class C felony if the contraband is a weapon, a Class D felony if the contraband is a controlled substance or intoxicating beverage, and an aggravated misdemeanor if the contraband is an item that may be used to facilitate an escape. A person also commits an aggravated misdemeanor for failing to report a known violation or attempted violation involving contraband to an official or officer at a CBC facility.

The Bill, in part, is in response to the Iowa Supreme Court decision in [State v. Halverson](#), which held that a person illegally possessing a controlled substance at a CBC does not commit the criminal offense of possessing contraband because a CBC facility is not an institution under the control of the Department of Corrections (DOC).

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The minimum cost for each offense shown in **Table 2** includes judicial and probation costs to the State. The maximum cost per offense includes costs to the Judicial Branch, Indigent Defense Fund, and the Department of Corrections.

Impacts

Correctional Impact

In FY 2017, there were 77 convictions of possession of contraband under Iowa Code section [719.7](#). The Bill is estimated to result in an additional 72 convictions annually. **Table 1** shows the estimated increase in prison, jail, CBC facility, and probation/parole admissions. The prison population would also increase by approximately 149 inmates annually by year two of implementation.

Table 1 – SF 2179, Increase in Orders

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Prison Admissions	27	54	54	54	54
Jail Admissions	9	18	18	18	18
CBC Admissions	3	7	7	7	7
Probation/Parole	23	47	47	47	47

Refer to the LSA memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 8, 2018, for information related to the correctional system.

Minority Impact

In FY 2017, approximately 16.0% of individuals convicted of Iowa Code section [719.7](#) offenses were African-American. In the second year of enactment, it is estimated there would be 24 more admissions to prison, 3 more admissions to jail, and 15 more admissions to probation of African-Americans. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 29, 2018, for information related to minorities in the criminal justice system.

Fiscal Impact

[Senate File 2179](#) is estimated to have a fiscal impact of \$407,800 in FY 2019 and \$794,550 in FY 2020. This estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, Indigent Defense Fund, and the DOC as shown in **Table 2**. Under this Bill there would be:

- An estimated one additional Class C felony conviction in FY 2019 and FY 2020.
- An estimated 36 additional Class D felony convictions in FY 2019 and 71 additional Class C felony convictions in FY 2020. Of these convictions, 75.0% would be sentenced to prison.

Table 2 – SF 2179, Estimated Costs for Additional Convictions

Offense	Cost Range	Net Additional Convictions		Cost Increase Estimate	
		FY 2019	FY 2020	FY 2019	FY 2020
Class C Felony	\$9,000 - \$17,200	1	1	\$ 10,000	\$ 10,000
Class D Felony	\$7,900 - \$12,100	36	71	397,800	784,550
Aggravated Misd	\$3,300 - \$6,600	0	0	0	0
Total		37	72	\$ 407,800	\$ 794,550

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Corrections
Judicial Branch – Office of the State Court Administrator
Officer of the State Public Defender
Board of Parole

/s/ Holly M. Lyons

February 20, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 2341 – Civics Education High School Graduation Requirement (LSB5706SV)
Analyst: Robin Madison (515.281.5270) robin.madison@legis.iowa.gov
Fiscal Note Version – New

Description

Senate File 2341 adds a new requirement for high school graduation beginning with the 2019-2020 school year. Under the Bill, students would be required to pass, with a score of at least 60.0% correct, the civics examination administered by United States Citizenship and Immigration Services in order to receive a high school diploma. The Bill requires that the examination include all 100 questions used for awarding U.S. citizenship.

The Bill requires that each student be afforded the opportunity to take the citizenship examination at least once each school year in grades 7 through 12 until the student has achieved a passing score. The Bill specifies that completion of the examination in grade 7 or 8 qualifies for purposes of high school graduation. The Bill further specifies that the examination be proctored and completed without the use of ancillary materials.

The Bill requires the Department of Education to approve alternative assessment measures for students requiring special education and those identified as limited English proficient.

Background

In September 2017, the Education Commission of the States issued an [overview](#) of the [Civics Education Initiative](#) of the nonprofit [Joe Foss Institute](#). The report found that 17 states had implemented measures requiring students to take the citizenship examination, and eight of those states had made it a requirement for graduation. At least four of the states require a selection of 50 or fewer questions on the examination, rather than the full 100.

The Joe Foss Institute makes the [examination](#) available on its website free of charge. The online examination issues a certificate of completion with the student's score.

Assumptions

The Department of Education will translate the examination into the seven most common non-English languages among the school districts and make those available on its website. The Department will also develop an alternative assessment for children with disabilities. The Department estimates this cost to be \$60,000.

School districts will offer the exam at least once each year to students in grades 7 through 12. The test will require the use of classroom time currently devoted to other activities or it will be offered in a proctored setting outside of regular classroom time, which will incur additional costs for proctoring.

Fiscal Impact

Senate File 2341 is estimated to have a fiscal impact of \$60,000 for the Department of Education to develop assessments for students requiring special education and those identified as limited English proficient. It is anticipated that the Department of Education will absorb those costs into its FY 2019 budget.

School districts may incur additional costs as a result of [SF 2341](#) in order to provide the required proctoring of examinations. The extent of those costs is unknown.

Sources

Department of Education
Iowa Association of School Boards
Education Commission of the States
Joe Foss Institute

/s/ Holly M. Lyons

February 20, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



SF 2356 – Sex Offenders and Sexually Violent Predators (LSB5295SV)
Analyst: Laura Book (515.205.9275) laura.book@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2356](#) relates to sexually violent predators and the accumulation of earned time by offenders, and provides penalties. The Bill makes various changes to provisions relating to release of sexually violent predators under Iowa Code chapter [229A](#).

[Senate File 2356](#) specifies that an inmate committed to the Department of Corrections (DOC) who is required to participate in a sex offender or domestic abuse treatment program shall not be eligible for any reduction of sentence until the inmate participates in and completes a sex offender or domestic abuse treatment program. The Bill specifies that an inmate committed to the DOC may be ordered to forfeit any or all earned time if the inmate has failed to complete a sex offender or domestic abuse treatment program as specified in Iowa Code section [903A.2](#).

Background

Under Iowa Code section [903A.2\(1\)\(a\)\(2\)](#), an inmate required to participate in a sex offender treatment program (SOTP) shall not be eligible for a reduction of sentence unless the inmate participates in and completes an SOTP. Failure to complete treatment includes refusal to attend or removal by corrections officers. Prior to 2016, the DOC policy interpreted this language to mean that an inmate could no longer accrue any earned time after refusing to attend the DOC's SOTP, but would not lose any previously accrued earned time. In January 2016, the DOC revised its policy to also include the forfeiture of previously accrued earned time. In 2017, the Iowa Supreme Court ruled in [State v. Iowa District Court for Jones County](#) that the DOC policy prior to 2016 applied and the DOC could not lawfully forfeit an offender's earned time accrued prior to refusal or removal from the SOTP.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- In FY 2017, 33 offenders were unsuccessful in the Domestic Abuse Treatment Program. It is assumed that 33 offenders will be unsuccessful in the program annually.
- In FY 2017, 43 offenders were unsuccessful in the SOTP. It is assumed that 43 offenders will be unsuccessful in the program annually.
- The maximum sentence imposed on average would add six years after loss of earned time for those unsuccessful in the SOTP and seven years for those unsuccessful in the Domestic Abuse Treatment Program.
- The annual marginal cost of prison per day is equal to the daily marginal cost multiplied by 365 days (\$17.52 x 365 = \$6,394.80).

Correctional Impact

No additional persons will be convicted because of the provisions in this Bill. The impact will occur because the length of stay for offenders who were unsuccessful in the treatment programs will increase due to loss of earned time. This impact will begin in FY 2019 and continue to increase until FY 2024. The additional costs are outlined in the Fiscal Impact section of this Fiscal Note. The Bill is expected to increase the prison population due to the increased length of stay after forfeiture of earned time.

Table 1 — SF 2356 Estimated Prison Population Changes

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
SOTP	43	86	129	172	215	215
Domestic Abuse Treatment	33	66	99	132	165	198
Total Additional Population	76	152	228	304	380	413

*On average, SOTP offenders stay an additional 6 years and DAP stay an additional 7 years.

Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 8, 2018, for information related to the correctional system.

Minority Impact

Of the current active offenders, three of the six offenders unsuccessful in the Domestic Abuse Treatment Program and four of the 22 offenders unsuccessful in the SOTP are African-American. This Bill is not estimated to have a minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 29, 2018, for information related to minorities in the criminal justice system.

Fiscal Impact

[Senate File 2356](#) will have a fiscal impact on the operating budget of the DOC due to the increased length of stay for offenders who are unsuccessful in the SOTP or the Domestic Abuse Treatment Program. It is estimated there will be 43 unsuccessful participants in the SOTP and 33 unsuccessful participants in the Domestic Abuse Treatment Program annually. The marginal costs are estimated to increase until FY 2024 when the prison population is no longer expected to further increase as a result of the Bill.

Table 2 — SF 2356 Additional Prison Costs Per Year

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Additional Population	76	152	228	304	380	413
Annual Marginal Cost Per Inmate	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395
Total Additional Cost Per Year	\$ 486,005	\$ 972,010	\$1,458,014	\$1,944,019	\$2,430,024	\$2,641,052

*Totals may not add up due to rounding of marginal cost.

Sources

Department of Corrections
CJJP

[State of Iowa v. Iowa District Court for Jones County](#), 909 N.W.2d 811 (2017).

/s/ Holly M. Lyons

February 20, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
